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Re: US Application No. 09/899,026 filed July 6, 2001 Attorney Docket No. 107664.115 US3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Stamm et al

Application No. 09/899,026

Group Art Unit: 1615

Filed: July 6, 2001

Examiner: Sheikh

For:

FENOFIBRATE PHARMACEUTICAL COMPOSITION HAVING HIGH

BIOAVAILABILITY AND METHOD FOR PREPARING IT

Attorney Docket No: 107664.115US3

Commissioner for Patents PO Box 1450

Alexandria, VA 22313-1450

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Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 Form.

The submission of this Information Disclosure Statement does not represent that a search has been made and does not constitute an admission that the listed documents and/or litigation is material to patentability or that the listed documents are prior art. A copy of the cited documents is submitted herewith.

The Commissioner is authorized to charge the fee of \$180 for consideration of this Information Disclosure Statement to Deposit Account No. 08-0219.

Applicants respectfully request that the Examiner initial and return a copy of the enclosed PTO-1449 Form with the next communication <u>fro</u>m the Patent Office.

WWWWY

Edward D. Orieff Registration No. 38

Date: June _______, 2004 WILMER CUTLER PICKERING

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1455 Pennsylvania Avenue, NW

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	INFORMATION DISCLOSURE	Filing Date: July 6, 2001
	STATEMENT BY APPLICANT	First Named Inventor Stamm
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		^{US-} 2004/0057998	03-25-2004	Stamm et al		
		^{US-} 2004/0057997	03-25-2004	Stamm et al		
		^{US-} 2003/0104060	06-05-2003	Stamm et al		
		^{US-} 2003/0104051	06-05-2003	Stamm et al		
		US- 2002/0168413	11-14-2002	Stamm et al		
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FOREIGN PATENT DOCUMENTS						
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		Complaint, US District Court for the District of Delaware, Civil Action No. 04-350, Reliant Pharmaceuticals v. Abbott Laboratories et al (1 June 2004).	
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